IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO 2980 OF 2006
IN
APPEAL NO. 100 OF 2006
IN
COMPANY PETITION NO. 746 OF 2004

Dynamic Logistics Pvt. Ltd.] .. Appellants (Ori.Respondents)

Versus

Small Industrial Development Bank of India.] .. Respondents (Ori.Petitioners)

Mr. C.J. Sawant, senior counsel with Mr. Rishabh Shah i/b Mr. Ravel Shah for the appellants.

Mr. Arif Y. Bookwala, senior counsel with Mr. D.M. Thakkar i/b M/s. Pragna Thakkar & Co. for the respondents.

CORAM: R.M. LODHA &
S.A. BOBDE, JJ.

DATED: 19TH SEPTEMBER, 2006

P.C. :

. Heard.

2. It is not disputed before us by the senior counsel for the appellants that the principal amount is in the sum of Rs.4,80,00,000/- out of which, we are informed, that the sum of Rs.1,44,00,000/- is deposited by the appellants under the order of the Debt Recovery Appellate Tribunal. Keeping this in view, we pass the

following order :

(i) The appellants shall pay to the respondents, the sum of Rs.3,36,00,000/- in three equal instalments of Rs.1,12,00,000/-. First of such instalment shall be paid by the appellants to the respondents on or before 1st November, 2006. The second instalment shall be paid on or before 15th December, 2006 and the third instalment shall be paid by the appellants to the respondents before 1st March, 2007.

(ii) Upon compliance, the operation of the impugned order shall remain stayed.

. Notice of Motion stands disposed of accordingly.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]